

REMARKS

Claims 26-37 are pending in the application. Of those, claims 27, 28, 31, 32, 35, and 36 are allowed, and claims 26, 29, 30, 33, 34, and 37 are rejected.

Claims 29, 33, and 37 have been amended to recite the “stringent conditions” under which a polynucleotide of subpart (c) hybridizes to the polynucleotides of subparts (a) or (b). The amendments are supported by the specification page 48, second paragraph.

Accordingly, no questions of new matter should arise and entry of the amendment is respectfully requested.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 26, 29, 30, 33, 34, and 37 were rejected under 35 U.S.C. § 112, first paragraph, as not enabled, and further as not complying with the written description requirement.

(1) The Examiner contends that the methods using the nucleic acid sequences are not enabled, as they encompass polynucleotides which are 80% homologous to the polynucleotide of SEQ ID NO: 5, polynucleotides encoding the polypeptide with SEQ ID NO: 6, and polynucleotides which hybridize with such polynucleotides under stringent conditions.

In response, Applicants have amended the claims to distinctly set forth the “stringent conditions” recited in claims 29, 33, and 37 (supported in the specification on page 48, second paragraph). Therefore, one skilled in the art could determine the polynucleotides of subpart (c) that hybridize to the polynucleotides of subparts (a) or (b). In addition, Applicants provide evidence by way of Declaration under 37 C.F.R. § 1.132 that one skilled in the art without undue

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experimentation could determine the polynucleotides with the claimed properties. Therefore, Applicants assert, in light of the amendments and the above mentioned Declaration, that all claims are now enabled.

(2) The Examiner also contends that claims 26, 30, and 34 do not satisfy the written description requirement as these claims encompass all protein-deamidating enzymes from the genus *Chryseobacterium*. The Examiner asserts that Applicants have not shown that the enzyme is produced by a sufficiently large number of microorganisms.

In response, the Applicants provide evidence by way of Declaration under 37 C.F.R. § 1.132 that one skilled in the art would expect, in light of Applicants' disclosure, that all microorganisms belonging to the genus *Chryseobacterium* produce the protein-deamidating enzyme. Therefore, Applicants assert that the subject matter of claims 26, 30, and 34 are sufficiently described in the specification.

Conclusion

Applicants respectfully submit that, in light of the amendments to claims 29, 33, and 37, and in light of the above mentioned Declarations, all claims pending are now allowable. Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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